

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 8, 10-11 and 13-40 are pending in the present application. Claims 8-40 were rejected under 35 USC 102(e) as being anticipated by Wen '688. Claims 8-40 were rejected under 35 USC 103(a) as being unpatentable over Kahle in view of Kraft et al. Claims 8-40 were rejected under 35 USC 103(a) as being unpatentable over Otake et al., Ishikawa et al. and Wess.

Referring to the rejection of claims 8-40 under 35 USC 102(e) as being anticipated by Wen '688, the reference to Wen '688 is not believed to anticipate or make obvious the specific features required by the claimed invention. More specifically, claims 8 and 10 set forth a method of creating an index print label for a digital image storage disk. The method of claims 8 and 10 comprises the steps of digitizing images to produce digital image data; storing the digital image data on a first surface of the digital image storage disk, such that the photographic images represented by the digital image data stored on the first surface of the disk are not readable by a human; and providing, on a second surface of the disk, positive images that correspond to the digital image data, so that each of the positive images visually represent the photographic images stored on the disk, and the positive images are provided on the second surface so as to be viewable by a human while holding the disk. Claims 8 and 10 further require that the positive images be provided on the disk so as to define a plurality of parallel rows on the disk, with at least a first row of the plurality of rows beginning at a first location on the disk and ending at a second location on a disk that is between the first location and a second axis of the disk, such that the second location is a first side of the center axis; and at least a second row of the plurality of rows beginning at a third location on the disk and ending at a fourth location on the disk that is opposite to the third location, such that the fourth location is on a second side of the center axis which is opposite to the first side.

The reference to Wen relates to a thermal dye transfer process for printing of compact disk labels. Column 2 of Wen '668 suggests a need to print photographic images on compact disk labels. However, apart from the suggestion that it would be "desirable to display thumbnail images on the label of the compact disk", there appears to be no showing or suggestion in Wen of the

specific combination of features required by claims 8 and 10. More specifically, there is no showing or suggestion in Wen of the specific layout or arrangement of the thumbnail images on the disk as required by claims 8 and 10, with regard to the positioning of the images on the disk.

It is further noted that claim 8 requires that the positive images be provided on the disk by printing them directly on a first portion of the second surface of the disk, and that indicia be provided on a second portion of the second surface of the disk; while claim 10 requires that the positive images be provided by printing a label sticker and adhering the label sticker to a first portion of the second surface of the disk, while indicia is provided on a second portion of the second surface of the disk. The specific layout of the positive images and indicia with regard to the disk is not shown or suggested in the reference to Wen.

Claims 8 and 10 also require that each of the rows on the disk comprises a plurality of positive images, with a space being defined between each of the images; and that each of the spaces between the positive images in one row be offset from each of the spaces between the positive images in another row (see, for example, Fig. 1, where the space between images 1 and 2 is offset from the space between images 7 and 8). The reference to Wen does not show or suggest this feature of the invention.

Therefore, the reference to Wen is not believed to anticipate or make obvious the features of claims 8 and 10.

Claims 11 and 13 relate to a digital image storage disk and like claims 8 and 10, set forth the specific layout of the images on the disk so as to properly use the surface of the disk. Claims 11 and 13 further set forth the relationship between the indicia on the disk and images on a disk. Based on the reasons noted above with regard to claims 8 and 10, the reference to Wen is also not believed to anticipate or make obvious the features of claims 11 and 13.

Claim 14 depends from claim 11 and set forth an additional unique feature of the present invention which is also not believed to be shown or suggested in Wen.

Claim 15 relates to a digital image storage disk and like, for example, claim 8 sets forth the specific layout and arrangement of the positive images on the disk. Based on the reasons noted above with regard to claims 8 and

10, the reference to Wen is not believed to show or suggest the features of claim 15.

Claims 16-18 depend from claim 15 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

Claim 19 relates to a method of creating an index print label wherein digital image information is provided on a first surface of a disk, and positive images that visually represent the digital image information is provided on a second surface of the disk. Claim 19 further sets forth a specific layout and arrangement of the positive images on the disk. The features of claim 19 with the respect to the specific layout and arrangement of the positive images is not believed to be shown or suggested in the reference to Wen.

Claims 20-21 depend from claim 19 and set forth additional unique features of the invention which are also not believed to be shown or suggested in the applied reference.

Claim 22 relates to a digital image storage disk and like claim 19 sets forth a specific layout and arrangement of the images on the disk. For the reasons noted above, the combination of features required by claim 22 is not believed to be shown or suggested in Wen.

Claims 23-25 depend from claim 22 and set forth further unique features of the invention which are also not believed to be shown or suggested in the applied reference.

Claim 26 relates to a digital image storage disk and also requires a specific layout and arrangement of positive images relative to orthogonal planes along center axis of the disk. For the reasons noted above, the applied reference to Wen is not believed to show or suggest the features of claim 26.

Claims 27-29 depend either directly or indirectly from claim 26 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

Claim 30 relates to a method of creating an index print label which requires digital information on one surface of a disk and positive images that visually represent the digital information on a second surface of the disk. Claim 30 also requires a specific layout and arrangement of the positive images on the

disk. For the reasons noted above, the reference to Wen is not believed to be shown or suggest the specific combination of features required by claim 30.

Claims 31-32 depend from claim 30 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

Claim 33 relates to a digital image storage disk and like claim 30 sets forth a specific layout and arrangement of the positive images. For the reasons noted above, claim 33 is believed to be allowable over the applied reference to Wen.

Claims 34-36 depend from claim 33 and set forth further unique features of the invention which are also not believed to be shown or suggested in Wen.

Claim 37 sets forth a digital image storage disk and like claim 33 requires a specific layout and arrangement of positive images on the surface of the disk. For the reasons noted above, the reference to Wen is not believed to show or suggest the features of claim 37.

Claims 38-40 depend from claim 37 and set forth further unique features of the invention.

Accordingly, the reference to Wen is not believed to anticipate or make obvious the specific features required by claims 8, 10-11 and 13-40.

Referring to the rejection of claims 8-40 under 35 USC 103(a) as being unpatentable over Kahle in view of Kraft et al., the references to Kahle and Kraft et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by the claimed invention. As noted above, claims 8 and 10 require a method for creating an index print label for a digital image storage disk. The method of claims 8 and 10 comprises the steps of digitizing images to produce digital image data; storing the digital image data on a first surface of the digital image storage disk, such that the photographic images represented by the digital image data stored on the first surface of the disk are not readable by a human; and providing, on a second surface of the disk, positive images that correspond to the digital image data so that each of the positive images visually represent the photographic images stored on the disk, and the positive images are provided on the second surface so as to be viewable by a human while holding the disk. Claims 8 and 10 further require that

the positive images be provided on the disk so as to define a plurality of parallel rows on the disk, with at least a first row of the plurality of rows beginning at a first location on the disk and ending at a second location on the disk that is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis; and at least a second row of the plurality of rows beginning at a third location and ending at a fourth location on the disk that is opposite to the third location, such that the fourth location is on a second side of the center axis which is opposite to the first side.

The reference to Kahle was cited to show a method and apparatus for printing a disk label for a CD. The reference to Kahle discloses an arrangement wherein title information which identifies the digital information that is recorded on a medium is provided on the medium. Claims 8 and 10 require that positive images which directly visually represent the digital photographic images stored on the image storage disk be provided on the surface of the disk. This feature is not shown or suggested in the reference to Kahle. As described in column 1 of Kahle, conventionally the labeling of CDs includes the manual writing of information on the label and attaching the label to the disk which tends to be time consuming. This discussion of the background of Kahle suggests that the reference to Kahle is not directed to the concept of directly and/or visually representing on a label, in a manner which can be readable by a human, a photographic image which directly represents the digital photographic image information stored on the disk. The reference to Kahle is essentially directed to providing information which can identify, in general, the subject matter of the information on the disk. As described in column 2 of Kahle, in at least one embodiment of the method of Kahle a title data stream is used to form title information. In a further embodiment of Kahle, a label having title information can be produced from a second data stream produced independently of a first data stream. Therefore, the problem addressed in Kahle with respect to manually writing information on the disk, and the solution as proposed by Kahle with regard to the creation of title information, does not contemplate or suggest that the information in Kahle is to be positive images which directly visually represent information which is stored in digital form on the disk.

Applicants further note that the references to Kahle et al. as set forth on pages 3 and 4 of the Office Action refer to concept of generally

identifying the subject matter on the disk. There is no showing or suggestion in Kahle et al. of uniquely representing the subject matter of the digital information stored on the CD and, more specifically, visually representing the images that are stored on the CD in the manner as required by the claimed invention.

The reference to Kraft et al. does not correct the deficiencies of Kahle with respect to the present invention. More specifically, the reference to Kraft et al. discloses a method of producing an index print for identifying images for reprints instead of utilizing a negative. There is no disclosure or suggestion in Kraft et al. that would suggest that the index print as disclosed by Kraft et al. can be applied to a CD or disk in the manner as claimed, such that digital image information is provided on one surface of the disk, and positive images which directly represent the digital information is provided on the second surface of the disk.

Further, although Kraft et al. indicates that an index print is "a kind of table of contents", absent Applicants' disclosure, one having ordinary skill in the art would not have combined the above-identified references to achieve the claimed invention. More specifically, the table of contents as referred to in Kahle et al. is set forth in the context of describing in a general nature what is stored on the CD or disk. Neither Kahle or Kraft et al. describe or suggest a table which directly and/or visually uniquely represents the digital photographic images stored on the disk.

In essence, the reference to Kahle relates to the concept of providing a label on CD. The label may include title information that identifies the information recorded on the CD, the name of a particular database file recorded on the CD or a brief description of the type of information recorded on the CD. Each of the above categories describe the contents of the CD or disk in a general nature, and does not provide for the visual representation of the information that is on the CD or disk in the manner in which the positive index images correspond to the digital data image information stored on the disk. With respect to Kahle, title information relative to databases and descriptions could be the same for several CDs and is not of the nature where the information stored on the disk can be provided on the disk as unique positive images.

Kraft et al., as noted above, relates to a method of producing index prints. As described in Kraft et al., the index print can be a paper print that

contains a plurality of small images that belong to different frames on a negative film, and can be used to identify a frame and order reprints. As noted above, there is no disclosure or suggestion in Kraft et al. that suggests that the index print as disclosed by Kraft et al. can be applied directly to the surface of a disk in the manner as claimed; such that the positive images on the index print directly visually represent in a unique manner the digital information stored on the disk. That is, the reference to Kahle discloses the concept of providing a general label on a disk, while the reference to Kraft et al. relates to a basic index print that is provided on a separate sheet. If the teaching of Kraft et al. were applied to Kahle, the teaching would be that an index print representative of the CD can be created separate from the CD. However, absent Applicants' disclosure, one of ordinary skill in the art would not have provided for the specific feature of the present invention where positive images are applied to a surface of a disk in the manner that the positive images directly visually represent the digital information stored on a second surface of the disk in a unique manner. Neither Kahle or Kraft et al. show or suggest this specific feature of the present invention.

Further, in the present invention since the positive images are to be provided on a disk which has a specific shape, structure and geometry, the present invention requires a layout of the positive images on the disk in a manner which permits a user to view the positive images while holding the disk, and also efficiently and effectively utilizes the space on the disk. That is, Claims 8 and 10 further require that the positive images be provided on the disk so as to define a plurality of parallel rows, with at least a first row beginning at a first location on the disk and ending at a second location on the disk that is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis; and at least a second row of the plurality of rows beginning at a third location on the disk and ending at a fourth location on the disk that is opposite to the third location, such that the fourth location is on a second side of the center axis which is opposite to the first side.

Each of claims 8 and 10 further require that each of the plurality of rows comprises a plurality of positive images, with a space being defined between each of the positive images; and that each of the spaces between positive images in one row be offset from each of the spaces between positive images in another row (see, for example, Fig. 1 where the space between image 1 and image 2 is

offset from the space between image 7 and image 8. The applied references are not believed to show or suggest the specific features of the layout of the positive images on the disk as noted above, in combination with the digital image storage disk as required by the claimed invention.

Also, the latest Office Action does not appear to address the specific layout of the images as required by claims 8 and 10. Applicants note that in the claimed invention, the positive images are provided on the digital image storage disk in a specific manner to (1) permit a viewing of the positive images while holding the disk; (2) permit a user to clearly identify what images are digitally stored on the disk; and (3) effectively use the surface area of the disk which has a specific structure. Therefore, in the claimed invention there is a relationship between the positive images and the digital image disk upon which they are attached or placed. Further, the present invention with respect to the layout of the images on the disk provides for a faster and easier way to identify the images that are stored on the disk in the form digital image data. Therefore, with respect to the method of the present invention, it is clear that the method of creating an index print label with positive images for a digital image storage disk as claimed provides for a useful, concrete and tangible result. Accordingly, it is believed that the specific features of the present invention with respect to the layout of the positive images should be considered and is clearly not shown, suggested or contemplated in the applied references. It is further noted that the claims require the combination of the index print having positive images thereon and a digital image storage disk, with the positive images being provided on the disk in a manner that facilitates the viewing of the images, and that the positive images directly represent the digital information on the disk. Therefore, the features as required by the claimed invention with respect to the positioning of the images on the disk are patentable features which are not shown, suggested or contemplated in the applied references.

Each of claims 8 and 10 set forth additional features of the positive images with respect to providing them on the digital image storage disk. More specifically, each of claims 8 and 10 require that the positive images be provided on a first portion of the second surface of the disk and that indicia be provided on a second portion of the second surface of the disk as shown in Fig. 1. Further, claim 8 requires that the images be printed directly on the disk, while claim 10

requires that the images be provided on a label that can be adhered to the disk. Thus, each of claims 8 and 10 further elaborate on the feature of providing images on the disk, and require the provision of indicia separate from the positive images on the disk. None of the applied references, whether considered individually or in combination, are believed to show or suggest the above features as required by claims 8 and 10.

Accordingly, Kahle and Kraft et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required claims 8 and 10.

Claims 11 and 13 relate to a digital image storage disk that comprises a first surface containing digital image data representing a plurality of photographic images, such that the images represented by the data stored on the first surface of the disk are not readable by a human; and an array of printed images on a second surface of the digital image storage disk, with the printed images visually representing the plurality of images stored on the first surface of the disk as the digital image data. As further required by claims 11 and 13, the printed images provided on the second surface of the disk are provided thereon so as to be viewable by a human while holding the disk, so as to provide for a human readable representation of each of the photographic images stored on the first surface of the disk. Claims 11 and 13, like claims 8 and 10 set forth that the images are provided so as to define a plurality of parallel rows on the disk, with at least a first row of the plurality of rows beginning at a first location on the disk that is in the vicinity of a first point on an outer perimeter of the disk, and ending on a second location on a disk which is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis. Claims 11 and 13 further require that at least the second row of the plurality of rows begins at a third location on the disk that is a vicinity of a second point on the outer perimeter of the disk, and ends at a fourth location on a disk that is opposite to the third location and is in a vicinity of a third point on the outer perimeter of the disk, such that the fourth location is on a second side of the center axis which is opposite to the first side. Claims 11 and 13 also require the offset spacing between positive images from one row to another row.

The references to Kraft et al. and Kahle, whether considered individually or in combination, are not believed to show or suggest the specific

elements of the digital storage disk are required by claims 11 and 13. More particularly, as indicated above, the reference to Kahle relates to the concept of providing a label on a CD, which label may include title information that identifies the information recorded on the CD, the name of a particular database file recorded on the CD or a brief description of the type of information recorded on the CD. Each of the above categories describes the contents of the CD or disk in a general nature, and does not provide for the visual unique representation of the information that is on the CD or disk. The reference to Kraft et al. as discussed above with respect claims 8 and 10 does not correct the deficiencies of Kahle with respect to the claimed invention. More specifically, the reference to Kraft et al. relates to an index print that can be a paper print and contains a plurality of small images, however, there is no disclosure or suggestion in Kraft et al. that suggests that the index print as disclosed can be applied to the surface of the CD or disk in the manner as claimed; such that the positive images on the index print directly visually represents the digital information provided on the disk. Further, as discussed above with regard to claims 8 and 10, claims 11 and 13 set forth specific features of the arrangement or layout of the positive images on the disk in a manner that permits a viewing of the positive images while holding a disk, permits a user to clearly identify what images are digitally stored on the disk; and effectively utilizes the surface area of the disk. As also discussed above, there is a clear relationship between the positive images and the digital image storage disk upon which they are attached or placed, and the specific layout of the images on the disk as claimed exploit the physical nature of the disk. This specific layout and the offset spacing between the images in different rows as claimed are not believed to be shown or suggested in the references to Kahle and Kraft et al., whether these references are considered individually or in combination.

Claim 11 further requires that the array of printed images be printed directly onto a first portion of the second surface of the disk and that indicia be provided on a second portion of the second surface of the disk; while claim 13 requires that the photographic images be printed on a label sticker that is affixed to a first portion of the second surface of the disk, and that indicia be provided on a second portion of the second surface of the disk.

The applied references, whether considered individually or in combination, are not believed to show or suggest the specific combination of images being printed on a first portion of a disk and indicia being provided on a second portion of a disk in the manner as required by claims 11 and 13.

Therefore, claims 11 and 13 are also believed to be allowable

Claim 14 sets forth a further feature of the disk wherein each image in the array contains an image number that corresponds to a location of the digital image data on a disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific feature of a disk having positive images thereon, wherein an image number that corresponds to a location of the digital image data on the disk is provided for each image.

Claim 15 relates to digital image storage disk that comprises a first side for digital information, a second side opposite the first side and an index print provided on a second surface of the second side. The index print includes a plurality of positive images that visually directly represent the plurality of photographic images stored on the first surface of the disk. Claim 15 further requires that the positive images are provided on the disk so as to define a plurality of rows, with at least a first row of the plurality on rows beginning at a first location on the disk and ending at a second location of the disk which is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis, and at least a second row of the plurality of rows beginning at a third location on the disk and ending at a fourth location on the disk that is opposite to the third location, such that the fourth location is on a second side of the center axis which is opposite to the first side. Claim 15 also sets forth the offset relationship of the spaces between the positive images in different rows.

As noted above, the applied references to Kahle and Kraft et al., whether considered individually or in combination, are not believed to show or suggest the specific combination of features required by claim 15. More specifically, the reference to Kahle is related to providing a general label on a CD, while the reference to Kraft et al. relates to a method of producing an index print. Absent Applicants' disclosure, there would be no teaching or suggestion in either Kraft et al. and Kahle of the specific combination of a disk having digital

information on one side and an index print with positive images that represent the digital information on a second side so as to be viewable by a human while holding the disk. Further, the applied references, whether considered individually or in combination, do not show or suggest the above in combination with the specific layout or arrangement of the positive images on the disk as required by claim 15 and discussed above with regard to, for example, claims 8 and 11. As set forth above with regard to claim 8, the layout or arrangement of the positive images have a functional relationship to the disk itself and is a claimed feature which is not believed to be shown or suggested in the applied references.

Accordingly, Kahle and Kraft et al., whether considered individually or in combination, are not believed to show or suggest the features of claim 15.

Claim 16 depends from 15 and sets forth a further unique feature of the index print. More specifically, claim 16 requires that the index print defines an arcuate shape. This specific feature takes advantage of the geometry of the disk.

The features of claim 16 are not believed to be shown or suggested in the applied references. Therefore, claim 16 is believed to be allowable.

Dependent claim 17 requires that the index print be adhered to a surface of the disk, while dependent claim 18 requires that the index print be printed directly onto the surface of the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the claimed feature of an index print with positive images thereon that is adhered or printed directly on the disk in the manner as required by claims 17 and 18.

Accordingly, claims 17 and 18 are also believed to be allowable.

Claim 19 relates to a method for creating an index print label for a digital image storage disk. The method of claim 19 requires the steps of digitizing photographic images to provide digital image data representative of the image; storing the data on a first surface of the disk; and providing on a second surface of the disk positive images that correspond to the data so that each of the positive images directly visually represent the images stored on the disk and are viewable by a human while holding the disk. Claim 19 further requires that the positive images be provided on the disk so as to define a plurality of rows on the disk, with at least two orthogonal planes extending along a center axis of the disk.

At least the first row of the plurality of rows defines a first longitudinal axis which is perpendicular to one of the orthogonal planes, with the first row beginning and ending on one side of the one orthogonal plane; and at least the second row of the plurality of rows defines a second longitudinal axis which is perpendicular to the one orthogonal plane, with the second row beginning on one side of the one orthogonal plane and ending on an opposite side of the one orthogonal plane. Claim 19 also sets forth the offset feature of the spaces between the positive images in one row with respect to another row.

The general features of the references to Kahle and Kraft et al. have been discussed above with regard to claim 8. As discussed above, the reference to Kahle discloses the basic provision of a label on a CD, while the reference to Kraft et al. discloses the utilization of an index print. There is no suggestion or teaching in the references for providing positive images on a disk in the manner as required by claim 19. Further, both the references to Kahle and Kraft et al., whether considered individually or in combination, do not show the layout or arrangement of the positive images with respect to the plurality of rows and the offset spacing between positive images in different rows. As noted above with regard to claim 8, the specific layout or arrangement of the images have a relationship to the digital image disk onto which the images are placed or attached, and the specific layout exploits the physical nature of the disk.

The references to Kahle and Kraft et al., whether considered individually or in combination, are not believed to show or suggest the specific combination of features required by claim 19 with regard to providing digital information on one side of the disk, providing positive images on a second side of the disk that represents the digital information, and arranging the images in the specific manner on the surface of the disk as required by claim 19.

Accordingly, Kraft et al. and Kahle, whether considered individually or in combination, are not believed to show or suggest the features of claim 19.

Claims 20 and 21 depend from claim 19 and set forth further features with regard to placing the images on the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific method of placing images on a disk (wherein the images

represent positive images of digital information stored on the disk) as required by claims 20-21. Accordingly, these claims are also believed to be allowable.

Claim 22 relates to a disk that includes a first surface with digital image information and a second surface with an array of printed images that correspond to the digital information. Claim 22 further requires the layout or arrangement of the images on the disk in a manner similar to claim 19.

The features of the reference to Kahle and Kraft et al. have been discussed above. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific features of a disk having a first surface with digital information, and a second surface with positive images that correspond to the digital information, as well as the arrangement of the images on the disk in the manner as required by claim 22.

Accordingly, Kraft et al. and Kahle, whether considered individually or in combination, are not believed to show or suggest the features of claim 22.

Dependent claims 23-24 set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied references. More specifically, claims 23-24 set forth features of printing the images directly on the disk or on a label sticker that is affixed to the disk. The above features in combination with the features set forth in claim 22 are not believed to be shown or suggested in the applied references. Therefore, claims 23-24 are believed to be allowable.

Dependent claim 25 relates to each image in the array containing an image number that corresponds to a location of the image data on the disk. The applied references are not believed to show or suggest the features of claim 25 in combination with the features of claim 22 as noted above. Therefore, claim 25 is believed to be allowable.

Claim 26 relates to a disk that has a first side with digital information on a first surface, and a second side with a second surface. Claim 26 further requires that an index print be provided on the second surface of the disk, with the index print having a plurality of positive images that visually represent the images that are stored on the first surface of the disk. Claim 26 further requires that the positive images be arranged in a manner similar to claim 22 with regard to the images being in a plurality of rows, with one of the rows beginning

and ending on one side of the an orthogonal plane through the center of the disk, and a second row extending to both sides of the orthogonal plane; and the spaces between the positive images in one row being offset from the spaces between the positive images in another row.

For the reasons noted above, the applied references to Kahle and Kraft et al. are not believed to show or suggest the combination of a disk with a first side that includes digital data, a second side that includes an index print with positive images that correspond to the digital data, and the arrangement of the positive images on the disk so as to define a plurality of rows as claimed.

Accordingly, claim 26 is believed to be allowable over Kahle and Kraft et al., whether considered individually or in combination.

Dependent claim 27 sets forth a further feature with respect to the index print and requires that the index print define an arcuate shape. This feature, in combination with the features of claim 26 is not shown or suggested in the applied references.

Dependent claim 28 sets forth that the index print is adhered to the second surface of the disk, and dependent claim 29 sets forth that the index print is printed directly on the second surface of the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the further features of claims 28-29.

Claim 30 relates to method of creating an index print label for a digital image storage disk. The method of claim 30 requires digitizing photographic images to produce digital image data; storing the digital image data on a first surface of the disk; and providing positive images on a second surface of the disk that visually represent the digital image data. Claim 30 further requires that at least two orthogonal claims be defined along a center axis of the disk, with at least a first positive image being located on a first side of one of the orthogonal planes, and at least a second positive image being on a second side of the one orthogonal plane that is opposite to the first side; that the images be provided in rows; and that spaces between the positive images in one row be offset from spaces between the positive images in another row.

The specifics of Kahle and Kraft et al. and their relationship to the subject matter of the claimed invention has been discussed above. It is noted that the references to Kahle and Kraft et al. do not show or suggest the claimed

features of the present invention, including the combination of providing digital data on one surface of the disk, providing positive images on a second surface of the disk that correspond to the digital data, and arranging the positive images on the disk in the manner claimed.

Accordingly, Kahle and Kraft et al, whether considered individually or in combination, are not believed to show or suggest the features of claim 30.

Dependent claims 31-32 require a specific method for printing or providing the images on a disk. Claim 31 requires that the images be printed directly on the disk while claim 32 requires that the images be provided on a label sticker and adhered to the disk. The features of claims 31-32 are not believed to be shown or suggested in the applied references.

Claim 33 relates to a digital image storage disk that includes a first surface that contains digital image data representing a plurality of photograph images; and an array of printed images on a second surface of the disk, with the printed images visually representing the plurality of photographic images stored on the first surface of the disk as digital image data and being provided so as to be readable by a human while holding the disk. Claim 33 further requires that the images be arranged so that a first image can appear on one side of an orthogonal plane and a second image can appear on a second side of the orthogonal plane; that the positive images be provided in rows; and that spaces between positive images in one row be offset from spaces between positive images in another row.

The references to Kahle and Kraft et al., whether considered individually or in combination, are not believed to show or suggest the specific features of claim 33. The particulars of the references to Kahle and Kraft et al. are discussed with reference to claim 8. With regard to claim 33, the references to Kahle and Kraft et al. do not show or suggest the combination of a disk that has digital image data on a first surface; an array of printed images on a second surface; and an arrangement of the images on the surface of the disk in the layout as claimed.

Accordingly, claim 33 is believed to be allowable over the references to Kahle and Kraft et al.

Dependent claim 34 relates to the images being printed directly on the disk, while dependent claim 35 relates to the feature of the images being

provided on a label sticker that is affixed to the disk. These claims set forth further features with regard to the placement of the images on the disk that are not believed to be shown or suggested in the applied references. Therefore, claims 34-35 are also allowable.

Dependent claim 36 relates to the feature of each image having an image number that corresponds to a location of the digital image data on a disk. The applied references are not believed to show or suggest the features of claim 36.

Claim 37 relates to digital image storage disk that includes a first side with digital image data and a second side that has a surface onto which an index print having a plurality of positive images is provided. The plurality of positive images visually represent the digital image data on the disk. Claim 37 further requires an arrangement of the images on the disk where at least a first image is on one side of an orthogonal plane that is defined along a center axis of the disk, and a second image is on an opposite side of the orthogonal plane; that the images be arranged in rows on the disk; and that spaces between positive images in one row be offset from spaces between positive images in another row.

The references to Kahle and Kraft et al. are not believed to show or suggest the specific combination of features required by claim 37, including the concept of having a disk with a first side with digital image data, a second side with an index print that includes positive images that correspond to the digital data, and the arrangement of the images on the disk in the layout as claimed.

Accordingly, Kahle and Kraft et al, whether considered individually or in combination, are not believed to show or suggest the features of claim 37.

Dependent claim 38 requires that the index print define an arcuate shape. The applied references are not believed to show or suggest the specific combination of features with regard to claim 38 and claim 37 from which claim 38 depends.

Dependent claims 39-40 set forth different features with respect to the index print either being adhered to the surface of the disk or being printed directly onto the surface of the disk. The applied references are not believed to show or suggest the combination of an index print with positive images, wherein the positive images represent digital image data on the disk, and the index print is

either adhered to the disk or printed directly on the disk. Accordingly, claims 39-40 are also believed to be allowable.

Therefore, Kahle and Kraft et al., whether considered individually or in combination, are not believed to anticipate or make obvious the features of claims 8, 10-11 and 13-40.

Referring to the rejection of claims 8-40 under 35 USC 103(a) as being unpatentable over Otake et al., Ishikawa et al. and Wess, the applied references are not believed to anticipate or make obvious the features of the claimed invention.

The particulars of claims 8 and 10 are discussed above with reference to Kahle and Kraft et al. The references to Otake et al, Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claims 8 and 10. As noted above, the claimed invention provides for a method of creating an index print with viewable positive images on one surface of a disk that permits a person to view or read the positive images while holding the disk. These positive images are provided in specific layouts or arrangements on the disk, and visually represent the photographic images stored on a second opposing surface of the disk in the form of digital image data.

A feature of the present invention relates to the ability of a person to easily and quickly pick up a storage disk or photo CD and at a glance know what images are stored on the photo CD or disk. This is particularly useful in the area of photo CDs or storage disks where the images are stored as digital image data and not readily readable or viewable by a human. Further, with the specific structure and method of the present invention, the index print is provided on the storage disk or CD. This overcomes problems with prior techniques in which the index print is provided on a separate card or case which holds the CD or disk and can become separated from the CD or disk. In a still further feature of the present invention, given the nature of photo CDs and storage disks, a user can quickly glance at the index print on the photo CD or disk, determine quickly that it is the disk or CD that he or she wishes to use, and quickly insert the disk into a computer to view the images which correspond to the positive images on the index print.

The reference to Otake et al. shows a basic index sheet and the provision of the index sheet on a separate case. Otake et al. differs from the claimed invention in that the index sheet is provided separately from the image-recording medium.

The reference to Ishikawa et al. was cited show the concept of applying an index print either by printing directly on an item or by affixing an adhesive label with an index print thereon. However, the reference to Ishikawa et al. has the same drawbacks as Otake et al., since the reference to Ishikawa et al. discloses the concept of providing an index print on a medium that is not the medium that carries the images. More specifically, Ishikawa et al. discloses the concept of providing an index print on a film cartridge. This is different from the claimed invention in which the index print is provided on the same medium where the images are provided. In the arrangements of Otake et al. and Ishikawa et al., the casing or cartridge having the index print thereon can be separated from the disk or film which includes the images. Further, the reference to Ishikawa et al. does not disclose or suggest the claimed method which requires that the disk have a first surface with digital image data, and a second surface that opposes the first surface with index images (that visually represent the images stored on the disk or CD), in a manner in which the images on the index print can be viewable by human while holding the disk. Therefore, modifying the reference to Otake et al. with the teaching of Ishikawa et al. would not provide for the claimed invention, since the teaching of Ishikawa et al. is similar to Otake et al. in the sense that the positive images are provided on an element that is not the element onto which the images are stored.

The reference to Wess was cited to show the concept of providing an index print on an image-recording medium. In Wess, an index print is provided on the end of the disclosed image-recording medium which is a developed roll of film, such that the developed roll of film along with the index print can be rolled back into a cassette. It is noted that the cassette of Wess is of the type having a door 119 that can be rotated from a closed position to an open position by inserting a drive member into a keyway 117. Therefore, in the reference to Wess, the film having the index print thereon is intended to be kept within the cassette until the film is pulled from the cassette by utilizing a special drive-member type tool.

Regarding the reference to Wess referring to Otake et al. (column 1, lines 18-54), Applicants note that the specific mention of Otake et al. in the reference to Wess refers to Fig. 11 of Otake et al. which illustrates a container for an index sheet together with photographic film and printed photographs. Absent Applicants' disclosure, there would have been no teaching or suggestion of providing a photo CD or disk with an index sheet having the positive images provided in the layout or arrangement specifically required by the claimed invention.

That is, the reference to Otake et al. discloses providing an index sheet on an element that is separate from the media on which the image data is stored. The reference to Ishikawa et al. parallels Otake et al. in that it also teaches the concept of providing the index sheet on an element (a cartridge) that is different from the media which has the images. The reference to Wess which was cited to show the concept of an index sheet on an image-carrying medium does not provide for the specific method and structure of the claimed invention. In Wess the medium is a developed roll of film and the index sheet does not include the claimed layout or arrangement of positive images on a disk as claimed. Absent Applicants' disclosure, there would be no teaching, suggestion or motivation to provide a first surface of a disk with digital image data, and a second opposing surface of the disk with an index print with images in a specific layout or arrangement that effectively uses the surface of the disk; such that the positive images uniquely represent the digital image data and are viewable while holding the disk.

Applicants note that in conventional labels on a CD, the label only includes a title or broadly describes what is stored on the CD. There is no applied reference that shows the claimed disk with digital image data on one side and positive images (in a specific layout or arrangement) that visually represent the digital image data on the opposing side of the disk, wherein the positive images are provided in a manner that permits a user to pick up the disk and easily see exactly what images are stored on the disk.

Further, the reference to Wess does not show a first surface with digital image data and a second surface opposing the first surface with the index sheet. Applicants note that it would not have been obvious to provide the index sheet in Wess on the opposing second surface of the film since there is no

teaching or motivation in Wess for such an arrangement, and the provision of the index sheet of Wess on an opposing surface of the film would obscure the exposed images on the negative. Additionally, a plurality of cassettes such as disclosed in Wess where the index sheet is provided on a film that is inserted in the cartridge would make it difficult to distinguish one cartridge from another without having to remove the film from the cassette.

Also, as noted above, claims 8 and 10 include limitations with regard to the layout or arrangement of the positive images on the disk, and the offset location of spaces between the positive images relative to the rows of the images in a manner which achieves an effective utilization of the space on the disk. This also permits a user to hold the disk and view the positive images representative of the digital image data on the disk. These features are not shown or suggested in the applied references.

Claims 8 and 10 also set forth additional features of the positive images with respect to providing them on the digital image storage disk. More specifically, each of claims 8 and 10 require that the positive images be provided on a first portion of the second surface of the disk, and that indicia be provided on a second portion of the second surface of the disk as shown in Fig. 1. Further, claim 8 requires that the images be printed directly on the disk, while claim 10 requires that the images be provided on a label that can be adhered to the disk. Thus, each of claims 8 and 10 further elaborate on the feature of providing images on the disk, and require the provision of indicia separate from the positive images on the disk. None of the applied references, whether considered individually or in combination, are believed to show or suggest the specific combination of features required by claims 8 and 10.

More specifically, none of the applied references show or suggest the combination of positive images that represent digital information stored on a disk being provided on a first portion of the disk, and indicia being provided on a second portion of the disk.

Accordingly, the references to Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 8 and 10.

Claims 11 and 13 relate to a digital image storage disk that comprises a first surface containing digital image data representing a plurality of

photographic images, such that the images represented by the data stored on the first surface of the disk are not readable by a human; and an array of printed images on a second surface of the digital image storage disk, with the printed images visually representing the plurality of images stored on the first surface of the disk as the digital image data. As further required by claims 11 and 13, the printed images provided on the second surface of the disk are provided thereon so as to be viewable by a human while holding the disk, so as to provide for a human readable representation of each of the photographic images stored on the first surface of the disk. Claims 11 and 13, like claims 8 and 10 set forth that the images are provided so as to define a plurality of parallel rows on the disk, with at least a first row of the plurality of rows beginning at a first location on the disk that is in the vicinity of a first point on an outer perimeter of the disk, and ending on a second location on a disk which is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis. Claim 11 further requires that at least the second row of the plurality of rows begins at a third location on the disk that is a vicinity of a second point on the outer perimeter of the disk and ends at a fourth location on a disk that is opposite to the third location and is in a vicinity of a third point on the outer perimeter of the disk, such that the fourth location is on a second side of the center axis which is opposite to the first side. Claims 11 and 13 also set forth the features of the offset spaces between the positive images in different rows as discussed with regard to claim 8.

The reference to Otake et al. shows a basic index sheet and the provision of the index sheet on a separate case. Otake et al. differs from the claimed invention in that the index sheet is provided separately from the image-recording medium.

The reference to Ishikawa et al. has the same drawbacks as Otake et al., since the reference to Ishikawa et al. discloses the concept of providing an index print on a medium that is not the medium that has the images provided thereon. More specifically, Ishikawa et al. discloses the concept of providing an index print on a film cartridge. This is different from the claimed invention in which the index print and/or image is provided on the same medium where the images are stored. In the arrangements of Otake et al. and Ishikawa et al., the casing or cartridge having the index print thereon can be separated from the disk

or film which includes the images. Further, the reference to Ishikawa et al. does not disclose or suggest the claimed apparatus with regard to the structure of the disk having a first surface with digital image data, and a second surface that opposes the first surface with index images (that directly represent the images stored on the disk). Therefore, modifying the reference to Otake et al. with the teaching of Ishikawa et al. would not provide for the claimed invention, since the teaching of Ishikawa et al. is similar to Otake et al. in the sense that the positive images are provided on an element that is not the element that has the images provided thereon. The reference to Wess discloses an index print provided on the end of a developed roll of film, such that the developed roll of film along with the index print can be rolled back into a cassette. The reference to Wess does not show the specific structure of the claimed invention. That is, in Wess the index sheet does not include the claimed layout or arrangement of positive images.

Claim 11 also requires that the array of printed images be printed directly onto a first portion of the second surface of the disk and that indicia be provided on a second portion of the second surface of the disk. Claim 13 requires that the photographic images be printed on a label sticker that is affixed to a first portion of the second surface of the disk, and that indicia be provided on a second portion of the second surface of the disk.

The applied references, whether considered individually or in combination, are not believed to show or suggest the specific combination of features as required by claims 11 and 13 and noted above.

Therefore, claims 11 and 13 are also believed to be allowable.

Dependent claim 14 sets forth a further feature of the disk wherein each image in the array contains an image number that corresponds to a location of the digital image data on a disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific feature of a disk having positive images thereon, wherein an image number that corresponds to a location of the digital image data on the disk is provided for each image.

Claim 15 relates to digital image storage disk that comprises a first side for digital information, a second side opposite the first side and an index print provided on a second surface of the second side. The index print includes a plurality of positive images that visually directly represent the plurality of

photographic images stored on the first surface of the disk. Claim 15 further requires that the positive images are provided on the disk so as to define a plurality of rows, with at least a first row of the plurality on rows beginning at a first location on the disk and ending at a second location of the disk which is between the first location and a center axis of the disk, such that the second location is on a first side of the center axis, and at least a second row of the plurality of rows beginning at a third location on the disk and ending at a fourth location on the disk that is opposite to the third location, such that the fourth location is on a second side of the center axis which is opposite to the first side. Claim 15 also sets forth the feature of the offset spaces between the positive images in different rows.

As noted above, the applied references to Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the specific combination of features required by claim 15. More specifically, both Otake et al. and Ishikawa et al. disclose providing an index sheet on an element which is separate from the element that has the images thereon. The reference to Wess does not show or suggest the combination of the disk having images thereon that represent digital data stored on the disk, wherein the images are provided in the specific layout or arrangement as claimed.

Accordingly, Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 15.

Claim 16 depends from 15 and sets forth a further unique feature of the index print. More specifically, claim 16 requires that the index print define an arcuate shape. This specific features takes advantage of the geometry of the disk.

The features of claim 16 are not believed to be shown or suggested in the applied references. Therefore, claim 16 is believed to be allowable.

Dependent claim 17 requires that the index print be adhered to a surface of the disk, while independent claim 18 requires that the index print be printed directly onto the surface of the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the claimed feature of an index print with positive images thereon that is adhered or printed directly on the disk in the manner as required by claims 17 and 18.

Accordingly, claims 17 and 18 are also believed to be allowable.

Claim 19 relates to a method for creating an index print label for a digital image storage disk. The method of claim 19 requires the steps of digitizing photographic images to provide digital image data representative of the image; storing the data on a first surface of the disk; and providing on a second surface of the disk positive images that visually represent the data so that each of the positive images directly represent the images stored on the disk and are viewable by a human while holding the disk. Claim 19 further requires that the positive images be provided on the disk so as to define a plurality of rows on the disk, with at least two orthogonal planes extending along a center axis of the disk. At least the first row of the plurality of rows defines a first longitudinal axis which is perpendicular to one of the orthogonal planes, with the first row beginning and ending on one side of the one orthogonal plane; and at least the second row of the plurality of rows defines a second longitudinal axis which is perpendicular to the one orthogonal plane, with the second row beginning on one side of the one orthogonal plane and ending on an opposite side of the one orthogonal plane. Claim 19 also sets forth the features of the offset spaces between the positive images in different rows.

The general features of the references to Otake et al., Ishikawa et al. and Wess have been discussed above with regard to claim 8. More specifically, both Otake et al. and Ishikawa et al. disclose providing an index sheet on an element which is separate from the element that has the images thereon. The reference to Wess does not show or suggest the combination of the disk having images thereon that represent digital data stored on the disk, wherein the images are provided in the specific layout or arrangement as claimed.

The references to Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the specific combination of features required by claim 19, with regard to providing digital information on one side of the disk, providing positive images on a second side of the disk that represents the digital information, and arranging the images in the specific manner on the surface of the disk as required by claim 19.

Accordingly, Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 19.

Claims 20 and 21 depend from claim 19 and set forth further features with regard to placing the images on the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific method of placing images on a disk (wherein the images represent positive images of digital information stored on the disk) as required by claims 20-21. Accordingly, these claims are also believed to be allowable.

Claim 22 relates to a disk that includes a first surface with digital image information and a second surface with an array of printed images that correspond to the digital information. Claim 22 further requires the layout or arrangement of the images on the disk in a manner similar to claim 19.

The features of the references to Otake et al., Ishikawa et al. and Wess have been discussed above. The applied references, whether considered individually or in combination, are not believed to show or suggest the specific features of a disk having a first surface with digital information, and a second surface with positive images that correspond to the digital information, as well as the arrangement of the images on the disk in the manner as required by claim 22.

Accordingly, Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 22.

Dependent claims 23-24 set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied references. More specifically, claims 23-24 set forth features of printing the images directly on the disk or on a label sticker that is affixed to the disk. The above features in combination with the features set forth in claim 22 are not believed to be shown or suggested in the applied references. Therefore, claims 23-24 are believed to be allowable.

Dependent claim 25 relates to each image in the array containing an image number that corresponds to a location of the image data on the disk. The applied references are not believed to show or suggest the features of claim 25 in combination with the features of claim 22 as noted above. Therefore, claim 25 is believed to be allowable.

Claim 26 relates to a disk that has a first side with digital information on a first surface, and a second side with a second surface. Claim 26 further requires that an index print be provided on the second surface of the disk,

with the index print having a plurality of positive images that correspond to the images that are stored on the first surface of the disk. Claim 26 further requires that the positive images be arranged in a manner similar to claim 22 with regard to the images being in a plurality of rows, with one of the rows beginning and ending on one side of the an orthogonal plane through the center of the disk, and a second row extending to both sides of the orthogonal plane; and the spaces between the images in one row being offset from the spaces between the images in another row.

For the reasons noted above, the applied references to Otake et al., Ishikawa et al. and Wess are not believed to show or suggest the combination of a disk with a first side that includes digital data, a second side that includes an index print with positive images that correspond to the digital data, and an arrangement of the positive images on the disk in the layout as claimed.

Accordingly, claim 26 is believed to be allowable over Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination.

Dependent claim 27 sets forth a further feature with respect to the index print and requires that the index print define an arcuate shape. This feature, in combination with the features of claim 26 is not shown or suggested in the applied references.

Dependent claim 28 sets forth that the index print is adhered to the second surface of the disk, and dependent claim 29 sets forth that the index is printed directly on the second surface of the disk. The applied references, whether considered individually or in combination, are not believed to show or suggest the further features of claims 28-29.

Claim 30 relates to method of creating an index print label for a digital image storage disk. The method of claim 30 requires digitizing photographic images to produce digital image data; storing the digital image data on a first surface of the disk; and providing positive images on a second surface of the disk that correspond to the digital image data. Claim 30 further requires that at least two orthogonal claims be defined along a center axis of the disk, with at least a first positive image being located on a first side of one of the orthogonal planes, and at least a second positive image being on a second side of the one orthogonal plane that is opposite to the first side; and that spaces between the images in one row being offset from spaces between the images in another row.

The specifics of the references to Otake et al., Ishikawa et al. and Wess and their relationship to the subject matter of the present invention has been discussed above. It is noted that the references to Otake et al., Ishikawa et al. and Wess do not show or suggest the claimed features of the present invention, including the combination of providing digital data on one surface of the disk, providing positive images on a second surface of the disk that correspond to the digital data, and arranging the positive images on the disk in the layout as claimed.

Accordingly, Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 30.

Dependent claims 31-32 require a specific method for printing or providing the images on a disk. Claim 31 requires that the images be printed directly on the disk while claim 32 requires that the images be provided on a label sticker and adhered to the disk. Therefore, claims 31-32 are also believed to be allowable.

Claim 33 relates to a digital image storage disk which includes a first surface that contains digital image data representing a plurality of photograph images; and an array of printed images on a second surface of the disk, with the printed images corresponding to the plurality of photographic images stored on the first surface of the disk as digital image data and being provided so as to be readable by a human while holding the disk. Claim 33 further requires that the images be arranged so that a first image can appear on one side of an orthogonal plane and a second image can appear on a second side of the orthogonal plane; and that the spaces between images in one row be offset from the spaces between images in another row.

The references to Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the specific features of claim 33. The particulars of the references to Otake et al., Ishikawa et al. and Wess are discussed with reference to claim 8. With regard to claim 33, the references to Otake et al., Ishikawa et al. and Wess do not show or suggest the combination of a disk that has digital image data on a first surface; an array of printed images on a second surface; and an arrangement of the images on the surface of the disk in the layout as claimed.

Accordingly, claim 33 is believed to be allowable over the references to Otake et al., Ishikawa et al. and Wess,

Dependent claim 34 relates to the images being printed directly on the disk, while dependent claim 35 relates to the feature of the images being provided on a label sticker that is affixed to the disk. These claims set forth further features with regard to the placement of the images on the disk and are also believed to be allowable.

Dependent claim 36 relates to the feature of each image having an image number that corresponds to a location of the digital image data on a disk. The applied references are not believed to show or suggest the further features of claim 36.

Claim 37 relates to digital image storage disk that includes a first side with digital image data and a second side that has a surface onto which an index print having a plurality of positive images is provided. The plurality of positive images correspond to the digital image data on the disk. Claim 37 further requires an arrangement of the images on the disk where at least a first image is on one side of an orthogonal plane that is defined along a center axis of the disk, and a second image is on an opposite side of the orthogonal plane; and that spaces between images in one row be offset from spaces between images in another row.

The references to Otake et al., Ishikawa et al. and Wess are not believed to show or suggest the specific combination of features required by claim 37, including the concept of having a disk with a first side with digital image data, a second side with an index print that includes positive images that correspond to the digital data, and an arrangement of the images on the disk in the layout as claimed.

Accordingly, Otake et al., Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to show or suggest the features of claim 37.

Dependent claim 38 requires that the index print define an arcuate shape. The applied references are not believed to show or suggest the specific combination of features with regard to claim 38 and claim 37 from which claim 38 depends.

Dependent claims 39-40 set forth further features with respect to the index print either being adhered to the surface of the disk or being printed

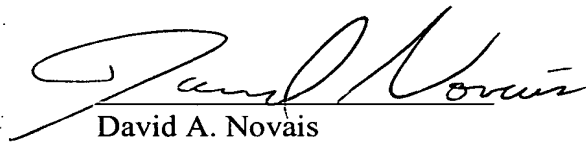
directly onto the surface of the disk. The applied references are not believed to show or suggest the combination of an index print with positive images, wherein the positive images represent digital image data on the disk, and the index print is either adhered to the disk or printed directly on the disk.

Accordingly, claims 39-40 are also believed to be allowable.

Therefore, Otake et al, Ishikawa et al. and Wess, whether considered individually or in combination, are not believed to anticipate or make obvious the features of claims 8, 10-11 and 13-40.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 8, 10-11 and 40 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David A. Novais", is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.